

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA**

PHILIPS MEDICAL SYSTEMS
NEDERLAND B.V.; PHILIPS NORTH
AMERICA LLC; and PHILIPS INDIA
LTD.,

Plaintiffs,

v.

TEC HOLDINGS, INC., F/K/A
TRANSTATE EQUIPMENT
COMPANY, INC., TRANSTATE
EQUIPMENT COMPANY, INC.,
F/K/A TRANSTATE HOLDINGS,
INC., and ROBERT A. (“ANDY”)
WHEELER, individually and in his capacity
as executor and personal representative of
the Estate of DANIEL WHEELER,

Defendants.

**Civil Action No.
3:20-cv-00021-MOC-DCK**

JOINT STATUS REPORT

Plaintiffs Philips Medical Systems Nederland B.V., Philips North America LLC, and Philips India Ltd. (collectively, “Plaintiffs” or “Philips”) and Defendants Transtate Equipment Company, Inc. (“Transtate”), TEC Holdings, Inc. (“TEC”), and Robert A. Wheeler, individually and in his capacity as executor and personal representative of the Estate of Daniel Wheeler (“Andy Wheeler”) (collectively, “Defendants,” and together with Philips, the “Parties”), jointly submit this Status Report and state as follows:

1. As indicated in prior communications to the Court, the Parties have been engaged in settlement discussions. Despite diligent and good faith efforts, the Parties have been unable to reach a settlement.
2. Defendants have previously indicated that if settlement was not reached, they intended to file a renewed request that the Court award pre- and post-judgment interest for violation of the North Carolina Unfair and Deceptive Trade Practices Act, N.C.G.S. §§75-1, 16.1, pursuant to

N.C.G.S. § 24-5(b) and 28 U.S.C. § 1961(a) (ECF No. 783). Defendants propose to file that request, including a supplementation of the pre-judgment interest calculations to reflect the passage of time, by February 7, 2024.

3. Judgment still needs to be entered in this case. The Parties intend to submit to the Court a joint Proposed Final Judgment, and propose to file it by February 7, 2024.

Respectfully submitted this the 26th day of January, 2024.

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically and electronically notify all counsel of record in this case.

/s/ *Gregory D. Vose*